

REMARKS

Reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Initially, Applicant respectfully submits that the Office Action has been made final prematurely and requests that the finality of the Office Action be withdrawn. The Office Action asserts that the claims as amended after final rejection on May 9, 2006, “could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114.” Applicant respectfully disagrees.

The Amendment After Final Rejection of May 9, 2006, inter alia, amended Claim 1 to recite that the plurality of blocks are divided in a length direction of the nozzle array. This amendment was made to even more clearly distinguish the claims from U.S. Patent No. 6,231,156 (Ono) and should have been deemed to raise new issues. Although the Office Action suggests that the various printing heads (1s, 1k, 1c, 1m, 1y) in Figure 1A of Ono can be construed as blocks divided in a vertical length direction, Applicant respectfully submits that one of ordinary skill in the art, when construing the terms of the claims as to their plain meaning as well as in light of the specification, would not agree. Rather, these heads or blocks in Ono are positional side-by-side. Accordingly, the Office Action should not have been made final.

Moreover, even if the finality of the Office Action is not withdrawn, the foregoing amendments should be entered because they merely cancel rejected claims and amend allowable claims into independent form. Favorable consideration is requested.

Claims 5, 14, 18 and 19 are now pending in the application and are each independent. Claims 1-4, 6-13, 15, 16 and 20-24 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 5 and 14 have been amended herein.

Applicant notes with appreciation the indication that Claims 18 and 19 are allowed. These claims have not been amended herein, thus remaining in condition for allowance.

Applicant also notes with appreciation the indication that Claims 5 and 14 recite allowable subject matter. Claims 5 and 14 have been rewritten in independent form, and Claims 1, 2, 4 and 13 have been cancelled herein. Thus, Claims 5 and 14 are also believed to be in condition for allowance.

Claims 1-4, 6-13, 15, 16 and 20-24 were rejected under 35 U.S.C. §§ 102 and 103. Claims 1-4, 6-13, 15, 16 and 20-24 have been cancelled. The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections but rather strictly to obtain an earlier allowance and to expedite issuance.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Further to the Information Disclosure Statement filed April 15, 2004, in compliance with the duty of disclosure under 37 CFR 1.56 and in accordance with the practice under 37 CFR 1.97 and 1.98, the Examiner's attention is directed to the document listed on the enclosed Form PTO-1449.

Because the finality of the Office Action is believed to be premature, it is respectfully submitted that the information cited herein should be considered by the Examiner. In the event that the finality of the Office Action is withdrawn, the Commissioner is hereby authorized to charge any fees necessitated for consideration of the above information to Deposit Account No. 06-1205.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

CONCLUSION

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objection and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)Date Submitted to PTO: **September 26, 2006**

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APPLICANTS

YOICHI SONOBE

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September 26, 2003

GROUP

2861

U.S. PATENT DOCUMENTS

*EXAMINER'S INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,033,051	03/2000	Kaneko			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

MAW/agm